

**TOOL: Comparison of Background Check Policy and Procedure**
**Updated 7/10/06**

Purpose	Components	Fingerprint or Name-Based?	Who Must be Checked	When and How Often	Grounds for Denial
Unlicensed, Out-of-Home Placements (Relatives)	<ol style="list-style-type: none"> <li>1. National Criminal History (includes Indiana State Juvenile History)</li> <li>2. Indiana State Limited Criminal History</li> <li>3. Sex and Violent Offender Registry</li> <li>4. Child Protective Services History</li> <li>5. Local Police and Sheriff Records</li> <li>6. For persons under the age of 14, a background check will consist of a search of Child Protective Services records.</li> </ol>	<p>Name-based for all emergency placements and made prior to the detention hearing.</p> <p>Fingerprint-based for all placements.</p>	All persons, regardless of age, living in household	<p>For all emergency placements prior to detention hearing: Complete name-based check prior to placing child in home; fingerprint-based results arrive after child is in home.</p> <p>For all other placements, fingerprint check prior to placing child</p> <p>Must be repeated every time a new child is placed if 4 years have elapsed since previous check.</p> <p>Check must be completed on new household member anytime new member is added<sup>1</sup></p>	<ol style="list-style-type: none"> <li>1. DCS will deny for criminal convictions or charges and juvenile adjudications in 1<sup>st</sup> list (see policy)</li> <li>2. DCS will make a recommendation for criminal convictions or charges and juvenile adjudications on 2<sup>nd</sup> list or substantiated CA/N, but defer to court's decision.</li> <li>3. For all other criminal convictions or charges and juvenile adjudications, DSC will evaluate appropriateness of placement and inform court of decision.</li> </ol>
Foster Family Home Licensing	Same as above	Fingerprint <sup>2</sup>	All persons age 14 and older living in home except DCS wards, plus all employees and volunteers with regular contact with foster children. (DCS will also check CPS history on all persons in home, regardless of age, except DCS wards, to evaluate appropriateness of a particular placement)	<p>Results from checks must be received prior to commencement of second home visit.</p> <p>Must be repeated every 4 years at re-licensure</p> <p>Check must be completed on new household member, employee or volunteer anytime new member, employee or volunteer is added<sup>1</sup></p>	<p>DCS <b>will</b> deny if applicant, volunteer or employee has:</p> <ol style="list-style-type: none"> <li>1. Any criminal Felony convictions</li> <li>2. Any misdemeanor relating to health and safety of child</li> <li>4. DCS <b>may</b> deny if the applicant, employee, volunteer or other household member in home have criminal or CPS</li> </ol>
Adoption	Same as above	Fingerprint <sup>2</sup>	All persons, regardless of age, living in the household.	<ol style="list-style-type: none"> <li>1. As part of home study</li> <li>2. Prior to pre-adoptive placement, if 12 months have elapsed since #1 above</li> <li>3. Prior to changing child's placement status if 12 months since #1 or #2</li> <li>4. Prior to finalized adoption, if 12 months since #1 or #2</li> </ol>	<p>Denials are complex and vary depending on what stage applicant is at (home study, pre-adoptive placement, etc.) and who (applicant or other household member) has what kind of criminal or civil history. Consult adoption evaluation policies for details.</p>

<sup>1</sup> DCS defines a new household member as a person who has been living in the household for 21 days or longer. The 21 days do not have to be contiguous.

<sup>2</sup> Exception: If the individual's fingerprints cannot be read after two separate fingerprinting attempts, the FBI will authorize a name-based check for the individual.

LCPA & Residential Licensing, Employment, Volunteers, & Contractors	Same as above	Fingerprint <sup>2</sup>	<ul style="list-style-type: none"> <li>▪ Applicant</li> <li>▪ Administrators and directors of facilities where children will be placed</li> <li>▪ All contractors and grantees</li> <li>▪ All employees and volunteers who will have regular contact with children</li> </ul>	<p>At initial licensure and with each contract proposed.</p> <p>At relicensure and contract renewal.</p> <p>Check must be completed on all existing employees and volunteers and each time a new employee or volunteer is added.</p>	<p>DCS <b>will</b> deny if applicant, volunteer or employee has:</p> <ol style="list-style-type: none"> <li>1. Any criminal Felony convictions</li> <li>2. Any misdemeanor relating to health and safety of child</li> <li>3. A CPS substantiation as a perpetrator</li> </ol>
ICPC	<p>For a child from another state being placed/adopted by an Indiana family, follow the other state's policies and procedures regarding background checks.</p> <p>For a child from Indiana being placed/adopted by a family in another state, follow Indiana's policies and procedures for Foster Licensing/Adoption background checks (send DCS fingerprint cards and forms to the adoptive family; the foster/adoptive family must mail the completed cards, forms and payment back to the local DCS office or Indiana LCPA).</p>				

### Additional Comparisons

	Release of Criminal History Report	Cost of Fingerprint Processing	Routing of Fingerprints	
Unlicensed, Out-of-Home Placements	<p>DCS may release a copy of the report to:</p> <ol style="list-style-type: none"> <li>1. An official of the court</li> <li>2. Any DCS employee who needs to access the report to perform official duties, including contracted DCS attorneys</li> </ol>	No cost to the individual submitting for fingerprinting	<p>After getting fingerprinted at a law enforcement office, the individual returns the completed fingerprint card and all DCS background check forms to the local DCS office.</p> <p>The local DCS office logs the receipt of the card and forms and sends them to the DCS central office background check unit for further processing.</p> <p>The DCS central office background check unit walks the cards and forms across the street to the ISP headquarters.</p>	
Foster Family Homes	Same as above.	\$39 per applicant or employee , \$33 per household member or volunteer fingerprint card, paid by the applicant in the form of a check or money order made payable to "Treasurer of the State of Indiana"	<p>Same as above, with two exceptions:</p> <ol style="list-style-type: none"> <li>1. The individual must attach payment (check or money order) when returning the completed cards and forms; and</li> <li>2. The individual will return the cards to the local DCS office <b>OR</b> the LCPA if they are being licensed through an LCPA.</li> </ol>	
Adoption	Same as above.	Same as above.	Same as above, including the two	

		Special note: qualified individual may be able to be reimbursed under the Non-Recurring Adoption Expense program	exceptions.	
LCPA & Residential Licensing, Employment, Volunteers, & Contractors	Same as above.	\$39 for employees, \$33 for volunteers per fingerprint card, to be paid in the form of a check or money order payable to the "Treasurer of the State of Indiana"	<p>After getting fingerprinted at an ISP post, the individual returns the completed fingerprint card, payment, and all forms to their employer or volunteer agency.</p> <p>The agency will log the receipt of the cards, payment and forms then send them to DCS Central Office Background Check Unit for processing.</p> <p>The DCS Central Background Check Unit walks the cards and forms across the street to ISP Headquarters.</p>	